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Milton Springut, Esq. (MS6571) Tal S. Benschar, Esq. (TSB0838) KALOW & SPRINGUT LLP 488 Madison Avenue New York, New York 10022

Tel: (212) 813-1600 Fax: (212) 813-9600

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

VAN CLEEF & ARPELS LOGISTICS, S.A. and VAN CLEEF & ARPELS, INC,

Plaintiffs,

٧.

JERI COHEN JEWELRY, INC.; and JOHN DOES 1-10,

Defendants.

USDC SDNY TRONICALLY FILED

Civil Action

No. 08-7073

PRELIMINARY INJUNCTION ORDER AND ORDER FOR EXPEDITED DISCOVERY ON CONSENT

This action having been commenced by plaintiffs Van Cleef & Arpels Logistics, S.A. and Van Cleef & Arpels, Inc. ("Plaintiffs"), by the filing of a Complaint against defendants charging them with copyright infringement, trademark infringement and unfair competition, and defendant Jeri Cohen Jewelry, Inc. ("Jeri Cohen" or "Defendant") having been personally served on August 8, 2008 with a copy of the Summons and Complaint; and Plaintiffs having presented an Order to Show Cause (DE 3) bringing on motions for a preliminary injunction and for expedited discovery to the Court along with all supporting papers and having served such papers upon Jeri Cohen; and the parties wishing to resolve such motions by Stipulated Order; and

It appearing to the Court that it has jurisdiction over the subject matter of this action and over Plaintiffs and Defendant Jeri Cohen; and for good cause shown:

IT IS HEREBY STIPULATED BY THE PARTIES AND ORDERED BY THE COURT:

- 1. Defendant Jeri Cohen, its officers, agents, servants and employees, and all persons in active concert or participation with them who receive actual notice of the order by personal service or otherwise, are hereby enjoined, pending the final hearing and determination of this action, from copying or distributing, selling, offering for sale or advertising copies of the VINTAGE ALHAMBRA JEWELERY DESIGN as defined hereinbelow.
- 2. For the purposes of this Order, VINTAGE ALHAMBRA JEWELERY DESIGN shall mean that jewelry design which appears thus:



- 3. Defendant Jeri Cohen shall provide expedited discovery as follows:
 - Within five business days, Defendant Jeri Cohen shall provide to Plaintiffs a. documents sufficient to show its source(s) for the items accused of infringement of Plaintiffs' copyright, including copies of any and all sales invoices or other documents reflecting the acquisition of such items by Defendant Jeri Cohen from its source(s).
 - b. To the extent that Defendant Jeri Cohen has no such documents to produce, it shall within five business days so indicate to Plaintiffs' counsel. Plaintiffs

- may then take an expedited deposition of Defendant Jeri Cohen on the issue of the identity of its source(s) for the allegedly infringing goods.
- c. To the extent that Defendant Jeri Cohen produces documents but Plaintiffs still believe that an expedited deposition is warranted to identify such source(s), they may apply to the Court by letter for such relief.
- 4. The motions initiated by Order to Show Cause (DE 3) are to be deemed resolved by this Order.

IT IS SO STIPULATED:

Dated: August 2008

PLAINTIFFS
VAN CLEEF & ARPELS LOGISTICS, S.A. and VAN CLEEF & ARPELS, INC.

KALOW & SPRINGUT LLP Counsel for Plaintiffs

Milton Springut, Esq.

Tal S. Benschar, Esq.

488 Madison Avenue, 19th Floor

New York, NY 10022 Tel: (212) 813-1600

Fax: (212) 813-1600

Dated: August 26, 2008

DEFENDANT

JERI COHEN JEWELRY, INC.

SNOW BECKER KRAUSS, P.C. Counsel for Defendant

Paul C. Kurland, Esq.

Michael Duboff, Esq. 605 Third Avenue

New York, NY 10158-0125

Tel: (212) 687-3860 Fax: (212) 949-7052

IT IS SO ORDERED:

Dated: August / , 2008

Mon. Shira A Scheindlin, U.S.D.J.